

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

CHRISTOPHER LITTLE

PLAINTIFF

VS.

CIVIL ACTION NO. 1:16-CV-048-GHD-RP

CITY OF FULTON, ET AL.

DEFENDANTS

MOTION FOR SUMMARY JUDGMENT

COME NOW the Defendants, City of Fulton, Reginald “Reggie” Johnson, and Joel Hill, and respectfully request that this Court award them a judgment as a matter of law pursuant to Rule 56 of the *Federal Rules of Civil Procedure*, and in support thereof would state as follows:

1.

The Plaintiff’s federal claims are brought pursuant to 42 U.S.C. Section 1983. The Complaint includes a *Fourth Amendment* excessive force and failure to train claim, as well as a *Fourteenth Amendment* due process and equal protection claim.

2.

The Plaintiff’s Complaint also alleges that the Defendants are liable under state law for intentional/negligent infliction of emotional distress, and assault and battery.

3.

For the reasons set forth in detail in the Defendants’ supporting memorandum brief, all of the Plaintiff’s claims should be dismissed with prejudice.

4.

In support of this motion, the Defendants rely on the following exhibits:

- Exhibit A- Text messages
- Exhibit B- Deposition excerpts of Joel Hill
- Exhibit C- Body camera video (to be filed conventionally)
- Exhibit D- Dash Camera video (to be filed conventionally)
- Exhibit E- Deposition excerpts of Joel Little
- Exhibit F- Charges
- Exhibit G- Recognizance Bond
- Exhibit H- Deposition of Lindsey Hall
- Exhibit I- Abstracts of Judgments.
- Exhibit J- Indictment
- Exhibit K- Joel Hill Certifications
- Exhibit L- Fulton Use of Force Policy

WHEREFORE, PREMISES CONSIDERED, the Defendants respectfully request that the claims brought against them be dismissed with prejudice pursuant to Rule 56 of the *Federal Rules of Civil Procedure*.

Respectfully submitted,

THIS, the 29th day of March, 2017.

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CERTIFICATE OF SERVICE

I hereby certify that on March 29, 2017, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification to all counsel of record.

s/ S. Ray Hill, III
S. RAY HILL, III, MSB# 100088
